FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
NAGPUR BENCH, NAGPUR

WRIT PETITIONs NO. 226 OF 1996.

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

CORAM :B.P.DHARMADHIKARI, J.
DATED : 30th NOVEMBER, 2006.

Nobody appeared for petitioner. Learned AGP appeared for respondent No.1 and Advocate Miss Tiwari appeared for respondent No.2.

I have perused the impugned order in pending appeal before the School Tribunal, Nagpur, by which the School Tribunal has directed the Education Officer, who is petitioner before this Court, to release salary of appellant employees before it as per pay bills submitted to him by the management. The Education Officer, therefore, approached this court and this court has on 20/7/1996, while issuing Rule in the matter, vacated the ad-interim stay granted by it earlier. It is, therefore, apparent that said interim order of School Tribunal in favour of respondent No.2 is operating since last about 10 years.

In these circumstances, the interest of justice can be met by directing the School Tribunal to decide the appeal pending before it, if it is not

already decided. This Court has not stayed the final adjudication of appeal by School Tribunal. In normal circumstances, the appeal ought to have been decided by now. However, I do not find any need to change this situation which is prevailed for past 10 years, by considering the challenge on merits in present petition.

The School Tribunal is directed to decide the appeal, if pending before it, as early as possible and in any case within a period of Nine months, from the date of communication of this order to it.

Writ petition is disposed of with these directions. Rule discharged. No order as to cost.

JUDGE

Diwale